

11/03/2003

13:53

GENENCOR LEGAL → 17038729306

NO. 853 0001

PATENT

Docket No. GC648-2
SN 09/991,209

☐ Urgent
☐ Confidential
☐ Action Required
☐ Reply Requested
☐ For Your Info.

FAX COVER SHEET

TO: Art Unit 1638

LOCATION: USPTO

Fax No.: (703) 872-9306 (Before Final Facsimile No.)

FROM: Carol See for Victoria L. Boyd
Patent Counsel

LOCATION: GENENCOR INTERNATIONAL, INC.
Legal Department
925 Page Mill Road
Palo Alto, CA 94304-1013
Tel: 650-846-7549
Fax: 650-845-6504

DATE: November 3, 2003

NUMBER OF PAGES TO FOLLOW: 4 **SENT BY:** cas

Re: Serial No. 09/991,209, Attorney Docket No. GC648-2

Attachments: Transmittal Letter (1 page) in duplicate, and Response to
Restriction Requirement (2 pages).

The original of this facsimile will be sent to you via:

☐ Regular Mail ☐ Overnight Mail ☐ Hand Delivery ☒ Will Not Be Sent

☒ Please initial acknowledgment of receipt by return facsimile _____

NOTE: The information contained in this facsimile message is confidential and may be subject to attorney-client privilege and is intended only for the use of the above named individual(s). If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (650/846-7517) and return the original transmission to us by mail.

GC648-2 faxcvf-pto

Received from <650 845 6504> at 11/3/03 4:54:28 PM [Eastern Standard Time]

I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to, Art Unit 1638, Before Final Facsimile No. (703) 872-9306, the Commissioner for Patents, Alexandria, VA 22313-1450 on the date shown below.

Date: November 3, 2003By: 

Carol A. See

PATENT

Docket No. GC 648-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/991,209

Confirmation No. 6062

Applicant: Dunn-Coleman et al.
Filed: November 16, 2001
Art Unit: 1638
Examiner: Kallis, Russell
Docket No.: GC648-2
Customer No.: 5100

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

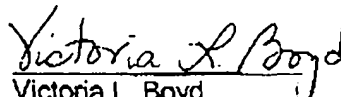
Sir:

In response to the Restriction Requirement dated October 3, 2003, enclosed please find the following document: Response to Restriction Requirement (2 pages)

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC648-2). A duplicate of this paper is enclosed.

Respectfully submitted,

Date: November 3, 2003


Victoria L. Boyd
Registration No. 43,510

Genencor International, Inc.
925 Page Mill Road
Palo Alto, CA 94304-1013
Tel: 650-846-7615
Fax: 650-845-6504

GC648-2 T-RR

I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to, Art Unit 1638, Before Final Facsimile No. (703) 872-9306, the Commissioner for Patents, Alexandria, VA 22313-1450 on the date shown below.

Date: November 3, 2003

By: 

Carol A. See

PATENT
Docket No. GC 648-2**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**
CENTRAL FAX CENTER

Appl. No.: 09/991,209

Confirmation No. 6062

NOV 03 2003

Applicant: Dunn-Coleman et al.
Filed: November 16, 2001
Art Unit: 1638
Examiner: Kallis, Russell
Docket No.: GC648-2
Customer No.: 5100

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

This communication is in response to the Restriction Requirement mailed October 3, 2003 in the above-identified patent application where the Examiner has required restriction among the following groups:

Group I, Claims 1-33 and 74, drawn to plants transformed with either one expression cassette comprising FAE 1 ferulic acid esterase polynucleotide or two expression cassettes, one comprising a FAE 1 ferulic acid esterase polynucleotide and another expression cassette comprising a xylanase polynucleotide; and

Group II, Claims 34-73, drawn to methods of controlling levels of phenolic acids in the cell walls of transformed plants;

In addition, for each of inventions I and II above, the Examiner has required election of one of the following:

- (A) a barley aleurone targeting sequence, Claims 16, 24 and 55;
- (B) a vacuolar targeting sequence, Claims 18, 19 and 57;
- (C) a golgi targeting sequence, Claims 20, 21, 60 and 61;

GC648-2 RR

Appl. No. 09/991,209

Amdt. dated November 3, 2003

Reply to Office action of October 3, 2003

Page 2

(D) an apoplast targeting sequence, Claims 17, 22 and 59; and

(E) an ER targeting sequence, Claims 17, 26, 58, 66 and 69

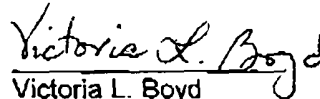
Applicants hereby elect, with traverse, the invention in Group I, Claims 1-33 and 74. In addition, Applicants hereby elect invention (B).

Applicants traverse this restriction requirement and believe that a search and examination of the entire application can be made without serious burden to the Examiner, see MPEP sections 803 and 808. The search would be within the same class for each claim group.

Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Applicants have fully and completely responded to the Office Action and have made the required election. This application is now in order for early action.

Respectfully submitted,

Date: November 3, 2003


Victoria L. Boyd
Registration No. 43,510

Genencor International, Inc.
925 Page Mill Road
Palo Alto, CA 94304-1013
Tel: 650-846-7615
Fax: 650-845-6504